

TENNESSEE ALARM SYSTEMS CONTRACTORS BOARD BOARD POLICIES

POLICY #1 -	NON-PROFIT ORGANIZATIONS
<u>POLICY #2</u> -	Direct Sellers Who Do Not Install Alarms [REPEALED 06/10/1993]
POLICY #3 -	CONTINUING EDUCATION - FIRE, BURGLAR, CCTV & MONITORING
POLICY #4 -	WORK SUPPLEMENTAL TO CLASSIFICATION
POLICY #5 -	PROPRIETARY ALARM SYSTEMS
<u>POLICY #6</u> -	Available Lists [REPEALED 02/08/1996]
<u>POLICY #7</u> -	SINGLE STATION DEVICES
POLICY #8 -	SIX MONTH FINGERPRINT POLICY
POLICY #9 -	STAFF ATTORNEY AUTHORITY
<u>POLICY #10</u> -	Continuing Education (grandfathering) [REPEALED 02/08/1996]
<u>POLICY #11</u> -	EXTENSION TO REPLACE DESIGNATED QUALIFYING AGENT
POLICY #12 -	REMOTE MONITORING OF CCTV
POLICY #13 -	DISPLAY OF CERTIFICATION NUMBERS ON VEHICLES
POLICY #14 -	CONTINUING EDUCATION REQUIREMENTS FOR FIRST TWO (2) YEAR RENEWAL
POLICY #15 -	DISCLOSURE FORM TO REVIEW FILES
POLICY #16 -	CANCELLATION OF BOARD MEETINGS
POLICY #17 -	DISCIPLINARY ACTION FOR VIOLATIONS FOUND DURING ROUTINE INSPECTIONS
POLICY #18 -	CLOSURE OF APPLICANT'S FILES
POLICY #19 -	FIRE SUPPRESSION SYSTEMS
POLICY #20 -	COURSE MATERIALS SUBMITTED FOR APPROVAL
POLICY #21 -	ACCESS TO SENSITIVE INFORMATION
POLICY #22 -	SALE OF PORTABLE INVESTIGATIVE EQUIPMENT
<u>POLICY #23</u> -	Automobiles Serving as Service Vehicles: Display of Certification [REPEALED 06/22/2000] [SEE POLICY #13]
POLICY #24 -	MOBILE HOME MANUFACTURERS
POLICY #25 -	STAFF ATTORNEY AUTHORITY TO SCHEDULE INFORMAL CONFERENCES TO RESOLVE COMPLAINTS
POLICY #26 -	SUBMISSION OF APPLICATIONS FOR EMPLOYEE REGISTRATION
POLICY #27 -	ADVERTISEMENT AND SIGNS
POLICY #28 -	TRANSFERS, OPEN APPLICATION TRANSFERS, REGISTERED EMPLOYEES WHO WORK FOR MORE THAN ONE COMPANY
POLICY #29 -	DEFINITION OF REGULAR PLACE OF BUSINESS
POLICY #30 -	COMPANY FAILURE TO HAVE QUALIFYING AGENT FOR EACH CATEGORY OF CERTIFICATION
POLICY #31 -	QUALIFYING AGENTS -CONTINUING PROFESSIONAL EDUCATION CREDIT FOR ATTENDANCE AT BOARD MEETINGS
POLICY #32 -	INVESTIGATOR AUTHORIZED TO REQUEST INSURANCE CERTIFICATES
POLICY #33 -	DESIGNATED QUALIFYING AGENTS TO NOTIFY COMPANY OWNER UPON FILING OF TERMINATION/TRANSFER
POLICY #34 -	BRANCH OFFICES
POLICY #35 -	MONITORING/SERVICE CONTRACTS
POLICY #36 -	FINGERPRINTS
POLICY #37 -	TERMINATION NOTICES
POLICY #38 -	ADDRESS CHANGES
POLICY #39 -	BOARD MEMBER ADVISORS IN HANDLING AND SETTLING COMPLAINTS
POLICY #40 -	OPEN APPLICATIONS
POLICY #41 -	DENIAL OF APPLICATION FOR MATERIAL MISSTATEMENT
POLICY #42 -	APPEAL OF DENIED APPLICATIONS
POLICY #43 -	PERSONAL EMERGENCY RESPONSE SYSTEMS (PERS)
POLICY #44 -	EQUIVALENT EMPLOYEE TRAINING
POLICY #45 -	DEADLINE TO COMPLY WITH RULE 0090-1-.06(9)(d)
POLICY #46 -	DEFINITION OF FULL TIME EMPLOYEE

POLICY #1 - NON-PROFIT ORGANIZATIONS

Non-profit organizations may furnish and/or install single station smoke detectors, not part of an alarm system, in a residence occupancy without the requirement of licensing under this Board.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on March 11, 1993.

**POLICY #2 - DIRECT SELLERS WHO DO NOT INSTALL ALARMS
REPEALED 06/10/1993****POLICY #3 - CONTINUING EDUCATION - FIRE, BURGLAR, CCTV
& MONITORING**

A total of eight (8) hours per year is required for continuing education from a list of approved courses.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on March 11, 1993.
Revised 02/08/96 – When the new and amended rules, as approved by the Tennessee Alarm Systems Contractors Board at the December 8, 1995 Rulemaking Hearing, became effective, this policy was revised.

POLICY #4 - WORK SUPPLEMENTAL TO CLASSIFICATION

A certified alarm systems contractor possessing a classification to engage in one type of alarm system activity (i.e., FIRE, BURGLAR or CCTV) may engage in installations outside the designated classification without obtaining the remaining classification if and only if such work is incidental or supplemental to the performance of work in the classification possessed by the certified alarm systems contractor.

This exception is in compliance with Tennessee Code Annotated § 62-32-314(d).

“The installation of smoke and/or heat detectors that are monitored by a burglar alarm panel would be considered incidental to a burglar alarm system.”

Tennessee Code Annotated § 62-32-314(d)

This Policy adopted by the Tennessee Alarm Systems Contractors Board on April 15, 1993.
Revised 05/13/93 Revised 06/10/93 Revised 02/08/96 Revised 02/12/04

POLICY #5 - PROPRIETARY ALARM SYSTEMS

“Engaging in the business of an alarm systems contractor” without obtaining a certification/license is prohibited by **Tennessee Code Annotated § 62-32-304(a)**. “Engaging in the business of an alarm systems contractor” shall not include a company installing, servicing, maintaining, and/or monitoring its own burglar and/or fire alarm system(s) on the premises of the company, so long as all of the following conditions are satisfied:

- 1) The alarm system(s) shall be the exclusive property of, or leased by, the company;
- 2) The alarm system(s) shall be designed to protect only premises owned or leased by the company;
- 3) Personnel engaging in the installation, servicing and/or maintenance of the alarm system(s) shall be the actual employees of the company;
- 4) Personnel engaging in the monitoring of the alarm system(s) shall either be direct employees of the company or employees of a licensed guard service under contract to the company; and
- 5) If the company is engaged in the monitoring of its alarm system(s), the monitoring shall be performed by personnel upon the company’s premises.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on May 13, 1993.

**POLICY #6 - AVAILABLE LISTS
REPEALED 02/08/1996****POLICY #7 - SINGLE STATION DEVICES
RE: ADMINISTRATIVE RULE 0090-1-.03-(6)**

A device that meets the criteria set forth as follows is not considered an alarm system as defined in the “Alarm Systems Contractors Licensing Act”.

A unitized or self-contained alarm device with a single function (e.g. smoke or intrusion detector) that required no wiring to install, that is not interconnected or linked to other alarm devices, that does not send a signal outside the protected premises by means of buzzers, bells, sirens or remote communication shall not be considered an alarm system as defined in **Tennessee Code Annotated § 62-32-202(1)**.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on September 16, 1993.
Revised 10/21/93 Revised 02/08/96

POLICY #8 - SIX MONTH FINGERPRINT POLICY

If fingerprints have been processed by the Alarm Systems Contractors Board and the final report from the T.B.I. and/or F.B.I. has been received less than six (6) months prior to new application being made, it will not be necessary for the Board to conduct another fingerprint search on the applicant.

Qualifying agents who currently hold a valid Qualifying Agent License and have a classifiable set of T.B.I./F.B.I. fingerprints on file and who reapply for licensure under new classifications shall not be required to submit additional fingerprints with the new application. All other requirements must be met prior to issuance of a new Qualifying Agent License.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on September 16, 1993.
Revised 02/08/96

POLICY #9 - STAFF ATTORNEY AUTHORITY

Alarm Systems Contractors Board Staff Attorney is authorized to initiate an immediate investigation into a written complaint of a violation involving unlicensed activity when in the opinion of the Administrative Director and Staff Attorney an immediate investigation is warranted.

Alarm Systems Contractors Board Staff Attorney is authorized upon consultation with Administrative Director to issue **Cease and Desists** and **Letter of Warning** as warranted without prior Board approval.

Alarm Systems Contractors Board Staff Attorney is authorized upon consultation with Executive Director to schedule **Informal Conferences** and **Issue Agreed Citations** for complaints involving unregistered employees, based on the violation penalty schedule adopted by the Board, as warranted without prior Board approval.

Alarm Systems Contractors Board Staff Attorney is authorized upon consultation with Executive Director to accept Board authorized consent orders and close the complaint file with out re-presenting those to the Board for closure.

This Policy adopted by the Alarm Systems Contractors Board on February 23, 1994.
Revised 04/14/2005 Revised 02/09/2006

**POLICY #10 - CONTINUING EDUCATION (grandfathering)
REPEALED 02/08/1996**

POLICY #11 - EXTENSION TO REPLACE DESIGNATED QUALIFYING AGENT

The Executive Director may grant the written request of an alarm systems contractor for a three (3) month extension to replace the Designated Qualifying Agent when the contractor does not have a Designated Qualifying Agent under the following circumstances:

- 1) The alarm systems contractor has notified the Board of the separation of the Designated Qualifying Agent from employment with the alarm systems contractor within ten (10) days as required by **Administrative Rule 0090-1-.07(8)**;
- 2) It is the alarm systems contractor's first request for an extension to replace the Designated Qualifying Agent during the current renewal period; and
- 3) The alarm systems contractor indicates that, for good cause, it has been unable to replace its designated qualifying agent within the thirty (30) day grace period provided by **Administrative Rule 0090-1-.07(8)**, and is taking measures that will result in the retention of a Designated Qualifying Agent within the three (3) month extension.
- 4) Any contractor who submits a second request for an extension during the same renewal period will be required to appear before the Alarm Systems Contractors Board in order to determine approval of an additional extension to replace the Designated Qualifying Agent.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on September 9, 1994.
Revised 11/01/01.

POLICY #12 - REMOTE MONITORING OF CCTV

Companies whose primary functions are the installation of CCTV and remote monitoring of CCTV must be certified and licensed in both the **CCTV** and **MONITORING** classifications.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on September 9, 1994.

POLICY #13 - DISPLAY OF CERTIFICATION NUMBERS ON VEHICLES

Pursuant to **Tennessee Code Annotated § 62-32-316**, an alarm systems contractor must place its certification number on all vehicles which either display the name of the alarm systems contractor or are used by the alarm systems contractor in connection with its business. Such certification number shall be displayed so that the number may be easily read.

In order to meet this requirement, the contractor may place a magnetic sign containing the certification number on the vehicle, provided that the magnetic sign is not removed from the vehicle until such time as it is no longer to be used in connection with the contractor's business.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on December 9, 1994, Revised June 22, 2000. [Revises former Policy #13 & replaces Policy # 22 effective 06/22/2000]

POLICY #14 - CONTINUING EDUCATION REQUIREMENTS FOR FIRST

TWO (2) YEAR RENEWAL

Upon the first renewal of the two (2) year license, qualifying agents are only required to have sixteen (16) hours of continuing education.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on December 9, 1994.

POLICY #15 - DISCLOSURE FORM TO REVIEW FILES

Anyone requesting to review any company, qualifying agent or registered employee file of the Tennessee Alarm Systems Contractors Board must first complete a disclosure form before the file may be reviewed. All T.B.I./F.B.I. fingerprint reports and any related information shall be removed before the file may be reviewed.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on January 12, 1995.

POLICY #16 - CANCELLATION OF BOARD MEETINGS

The Executive Director, after consultation with the Board Chairman and other Board members, may cancel a Board meeting due to lack of business for the purpose of reducing Board expenses.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on March 9, 1995.

POLICY #17 - DISCIPLINARY ACTION FOR VIOLATIONS FOUND DURING ROUTINE INSPECTIONS

The Executive Director shall file a complaint from the inspection report if unlicensed activity in another classification is found, if the certification number is not displayed on company vehicles, if employees are not registered according to **Tennessee Code Annotated § 62-32-312(a)**, or if more than three (3) minor violations are evident. A **Letter of Reprimand** will be issued for minor violations. If subsequent violations show a continuation of the same types of violations, a complaint shall be issued.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on April 13, 1995.

POLICY #18 - CLOSURE OF APPLICANT'S FILES

Employee registration and qualifying agent applicants must respond within fifteen (15) days to the second request for documentation by the Board office, or the Board office may close the applicant's file.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on April 13, 1995.
Revised September 14, 2006

POLICY #19 - FIRE SUPPRESSION SYSTEMS

- 1) Manually activated fire suppression (extinguishing) systems are not considered an alarm system and are exempt from licensing under the Tennessee Alarm Systems Contractors Board.
- 2) Fire suppression systems that are not connected to a fire alarm system are exempt from licensing under the Tennessee Alarm Systems Contractors Board.
- 3) Fire alarm systems that activate fire suppression systems are not exempt from licensing under the Tennessee Alarm Systems Contractors Board.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on August 10, 1995.

POLICY #20 - COURSE MATERIALS SUBMITTED FOR APPROVAL

The Alarm Systems Contractors Board will keep education materials submitted for approval no more than sixty (60) days after review, and will notify the submitter their course material will be discarded unless retrieved.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on September 8, 1995.

POLICY #21 - ACCESS TO SENSITIVE INFORMATION

Operators and/or dispatchers that monitor burglar or fire alarm systems and/or CCTV systems must be licensed or registered with the Tennessee Alarm Systems Contractors Board, as they are deemed to have access to sensitive information.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on December 8, 1995.

POLICY #22 - SALE OF PORTABLE INVESTIGATIVE EQUIPMENT

A licensed private investigator/private investigation company may sell a closed circuit television system to a client without obtaining a certification from the Tennessee Alarm Systems Contractors Board only under the following circumstances:

- 1) The system was initially installed for a client on a temporary basis to aid in an investigation that was being performed by the licensed private investigator/private investigation company; and
- 2) The client subsequently makes a request to purchase the system.

This Policy adopted by the Tennessee Alarm Systems Contractors Board on January 17, 1996.

**POLICY #23 - AUTOMOBILES SERVING AS SERVICE VEHICLES:
DISPLAY OF CERTIFICATION
REPEALED 06/22/2000 [SEE POLICY #13]**

POLICY #24 - MOBILE HOME MANUFACTURERS

The manufacture and sale of mobile homes containing alarm systems does not require certification under the Alarm Systems Contractors Licensing Act of 1991. Any servicing or monitoring of such systems does require certification.

This policy adopted by the Alarm Systems Contractors Board on August 7, 1997.

POLICY #25 - STAFF ATTORNEY AUTHORITY TO SCHEDULE INFORMAL CONFERENCES TO RESOLVE COMPLAINTS

The staff attorney is authorized to schedule an informal conference to resolve a complaint, if the attorney believes that the informal conference is likely to result in a resolution of the complaint without a formal hearing.

This policy adopted by the Tennessee Alarm Systems Contractors Board on August 7, 1997.

POLICY # 26 - SUBMISSION OF APPLICATIONS FOR EMPLOYEE REGISTRATION

Pursuant to Tennessee Code Annotated §62-32-308(d) all "persons employed by an alarm systems contractor shall apply for registration with the board within thirty (30) days after employment ...". Pursuant to Tennessee Code Annotated §62-32-312(d), all alarm systems contractors, within 30 *working* days of the beginning of employment of any employee, shall furnish the board with fingerprints, photos, and criminal records statements.

Accordingly, the policy of the Board regarding applications for employee registration shall be as follows:

- 1) An employee is required to submit a complete application, including any fingerprint, photographs, criminal records or other supplemental information as set forth in the application packet and instructions, within thirty (30) days of beginning employment.
- 2) An alarm systems contractor shall be subject to discipline under Tennessee Code Annotated §62-32-320, for working an employee required to be registered under the Alarm Systems Contractors Licensing Law whose application has not been received by the Board within thirty (30) *working* days of employment. "Working days" shall be defined as Monday through Friday and shall include any holidays which may fall on those days, except that where the thirtieth day falls on a State holiday, the contractor shall have until 4:30 p.m. on the next day during which State of Tennessee offices are open for business to file an application.

This Policy adopted by the Tennessee Alarm systems Contractors Board on December 5, 1996.
Revised September 7, 2000

POLICY #27 - ADVERTISEMENT AND SIGNS

Signs or letters attached to or in front of a building which the alarm contractor's place of business is located and which serve as the sole purpose of notifying the public of the location of an alarm contractor need not contain the contractor's certification number. If such signs contain any other wording regarding specific services and/or specials offered with regard to alarm systems, the sign will be deemed to be an advertisement and must contain the contractor's certification number.

The requirements of Tennessee Code Annotated § 62-32-316(d) shall apply to all forms of advertising including, but not limited to, print, radio, television, or Internet advertising. The term "display" shall include, but is not limited to, verbal or audio broadcast of the certification number.

This policy adopted by the Tennessee Alarm Systems Contractors Board on February 12, 1998.
Revised 06/22/2000

POLICY #28 - TRANSFERS, OPEN APPLICATION TRANSFERS, REGISTERED EMPLOYEES WHO WORK FOR MORE THAN ONE COMPANY

An applicant for Alarm Contractor Employee Registration or Qualifying Agent License is not eligible to transfer to another Alarm Contracting Company while still under application. An applicant for Employee Registration or Qualifying Agent who does not complete the application process to become an active registrant or licensee prior to changing alarm contracting companies will be required to reapply and should submit a new application under the new alarm contracting company employer, along with the appropriate application fees, fingerprint cards, and photos.

Qualifying Agent applicants who, prior to issuance of their license, change from an alarm contracting company to "Independent" or from "Independent" to an alarm contracting company will be eligible to transfer during the application process by submitting a completed transfer form without the \$50 transfer fee. This transfer of an Qualifying Agent application will be allowed only one (1) time. Should additional transfer be requested a new application and fees will be required.

Should a company with Active Registered Employees and Qualifying Agents be acquired, and a new application for the company is submitted due to this change in ownership, the new company must submit completed transfer forms with the required \$50 transfer fee and photos for the Registered Employees and Qualifying Agents of the previous alarm contracting company whom they intend to keep on staff, and these individuals' license or registration will be transferred to the new company and issued new identification badges.

Should a company with pending applicants for Employee Registration or Qualifying Agent be acquired, and a new application for the company is submitted due to this change in ownership, the new company may submit completed transfer forms without the \$50 transfer fee for the applicants of the previous alarm contracting company, and the open applications will be transferred to the new company as applicants.

POLICY #28 – (Continued)

An “Active” Qualifying Agent or Registered Employee who voluntarily changes employment to another Alarm Contracting Company must submit a completed transfer form, two (2) photos and the required \$50.00 transfer fee.

Any Registered Employee who works for more than one alarm contracting company must submit a completed application, with all required documentation and fees, for Employee Registration with each company they are employed by, and a separate identification badge will be issued under each company employer.

This policy adopted by the Tennessee Alarm Systems Contractors Board on January 13, 2000.
Revised 06/07/01

POLICY #29 - DEFINITION OF REGULAR PLACE OF BUSINESS

“Regular Place of business at a permanent fixed location,” pursuant to **Tennessee Code Annotated § 62-32-314(a)(1)** is defined as the permanent physical location of the alarm contracting company. The alarm systems contractor must provide the address of the physical location of the alarm contracting company to the Alarm Systems Contractors Board office both upon initial application and within thirty (30) days of a change of business address. Post office boxes and mail drops (ie: Mail Boxes Etc. locations) are not acceptable to comply with this statutory requirement.

This policy adopted by the Alarm Systems Contractors Board on April 12, 2000.

POLICY #30 - COMPANY FAILURE TO HAVE QUALIFYING AGENT FOR EACH CATEGORY OF CERTIFICATION

An alarm systems contractor who obtains a designated qualifying agent who does not have the same classifications of licensure as the company certification shall immediately receive a cease and desist letter from the Alarm Systems Contractors Board’s administrative director via certified mail, return receipt requested. The cease and desist letter requires the company to cease all alarm contracting activities in the classification without a properly licensed qualifying agent until the designated qualifying agent becomes licensed in the proper categories. The Board’s executive director shall also note in the RBS system that the company may not engage in work in the classifications that lack a qualifying agent until the qualifying agent obtains proper licensure.

Should a company fail to comply with the cease and desist order, the Board will impose a civil penalty in the amount of one thousand dollars (\$1,000) per each uncertified sale, installation, service call, or day of monitoring on a company with no other violations in its license file. The Board may use its discretion in determining the appropriate discipline in matters involving previous disciplinary offenses.

This policy adopted by the Alarm Systems Contractors Board on April 12, 2000.

POLICY #31 - QUALIFYING AGENTS CONTINUING PROFESSIONAL EDUCATION CREDIT FOR ATTENDANCE AT BOARD MEETINGS

The Tennessee Alarm Systems Contractors Board will award Qualifying Agents continuing professional education credits for attendance at an Alarm Systems Contractors Board meeting. Qualifying Agents will receive two (2) hours of continuing professional education for attendance at a morning session, and two (2) hours continuing professional education for attendance at an afternoon session, provided they were in attendance for the morning session.

Qualifying Agents who elect to attend a meeting for credit should complete the sign-in sheet for Qualifying Agent's for continuing education credit prior to the start of the Board meeting. At the end of the Board meeting certificates of attendance for two (2) hours of continuing education credit, per session attended, will be awarded to Qualifying Agent's who have signed up for credit.

These credits will only be available to Qualifying Agents for one Board meeting per renewal period.

This policy adopted by the Alarm Systems Contractors Board on April 12, 2000.
Revised 06/07/2001.

POLICY #32 - INVESTIGATOR AUTHORIZED TO REQUEST INSURANCE CERTIFICATES

All Alarm Systems Contractors Board Investigators and any other State of Tennessee Department of Commerce and Insurance Investigators are hereby authorized to request proof of insurance on behalf of the Tennessee Alarm Systems Contractors Board pursuant to **Tennessee Public Chapter 641**. Failure by an Alarm Contractor to produce such proof immediately upon request shall be grounds for discipline, including but not limited to, a civil penalty of up to \$5,000.00 and revocation of licensure in accordance with **Tennessee Code Annotated § 62-32-320**.

This policy adopted by the Alarm Systems Contractors Board on June 22, 2000.

POLICY #33 - DESIGNATED QUALIFYING AGENTS TO NOTIFY COMPANY OWNER UPON FILING OF TERMINATION/TRANSFER

A Designated Qualifying Agent for an alarm systems contractor must, within thirty days of leaving the employment of such contractor, forward to the owner, president or registered agent of the contractor a copy of the termination/transfer form required to be filed with the Board. This policy shall only apply where the Designated Qualifying Agent is not an owner or the president of the alarm systems contractor for whom he/she serves as designated qualifying agent.

This policy adopted by the Alarm Systems Contractors Board on September 7, 2000.

POLICY #34- BRANCH OFFICES

For purposes of Tennessee Code Annotated §62-32-316(f), the term "branch office" shall include any physical location at which an alarm systems contractor conducts any activities relative to the sale, installation, servicing or monitoring of alarm systems, including but not limited to "corporate offices" where administrative, marketing or other business functions are performed. The only exceptions shall be as follows:

- 1) Warehouse facilities which are utilized solely for storage purposes; and
- 2) Locations which have no signage, advertising or other outward indication to the public that the alarm systems contractor conducts its business there and from which no direct sales, marketing or installations take place.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #35 - MONITORING/SERVICE CONTRACTS

For purposes of Tennessee Code Annotated §62-32-303(2), the term "alarm systems contractor" shall not include individuals or entities who own contracts or lease documents relative to alarm system equipment, installation and/or monitoring and whose activities are limited as follows:

- 1) The individual or entity does not actually sell, install, service or monitor alarm systems, however, they may enter into subcontracts with Tennessee licensed alarm contractors for the provision of equipment servicing and/or monitoring services; and
- 2) The individual or the entity, as well as its officers, employees, and/or agents, does not have access to sensitive information relative to the system or the system user.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #36 - FINGERPRINTS

If an applicant's fingerprint cards have been rejected by the TBI or the FBI two (2) times, then prior to the 3rd submission the applicant shall be required to submit new fingerprint cards along with payment of any fees charged by the TBI or FBI for processing of the 3rd submission prints.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #37 - TERMINATION NOTICES

All termination notices notifying the Board of Registered Employee terminations must be in writing and must be filed with the Board office within thirty (30) days of said termination.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #38 - ADDRESS CHANGES

All company, qualifying agent, and/or registered employee home and/or business address changes must be submitted to the Board office in writing within thirty (30) days of said address change. Address changes given over the telephone will not be accepted.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #39 - BOARD MEMBER ADVISORS IN HANDLING AND SETTLING COMPLAINTS

When in the opinion of the Staff Attorney there may be enough evidence in a complaint file to justify a probable cause finding by the Board that the law and rules governing alarm contractors in Tennessee have been violated, the Staff Attorney may contact a Board member to act as an advisor and to authorize the issuance of a **Consent Order** to settle the case. The Staff Attorney may issue a **Consent Order** with the authorization of the Board member.

If a Respondent refuses to enter into a **Consent Order** offered with the advice of the Board member, the complaint file will be summarized at the next Board meeting. The Board may offer another **Consent Order** or authorize a formal hearing or take other appropriate action.

When a Respondent enters into a **Consent Order** which was authorized by a Board member, the full Board will vote on whether or not to accept the **Consent Order** as described or presented by the Staff Attorney at the next scheduled Board meeting. If the Board accepts the **Consent Order** the matter will be closed. If the Board does not accept the **Consent Order**, the Board may choose to offer a **Consent Order** with modified terms or may authorize the filing of formal charges.

Once formal charges have been filed concerning a complaint, the Staff Attorney may contact for purposes of negotiating an **Agreed Order** either the same Board member to serve as an advisor, or if an advisor has not yet been asked to serve as an advisor, a Board member to act in such a capacity. If the Respondent enters into an **Agreed Order**, the Board will vote at its next scheduled meeting whether or not to accept the **Agreed Order**. The Staff Attorney is also authorized to continue a formal hearing if an **Agreed Order** is to be presented to the Board. If the Board votes not to accept the terms of an **Agreed Order**, the formal hearing will be rescheduled for a future date.

When serving as an advisor in connection with a complaint, a Board member shall not vote in any subsequent vote taken in connection with the complaint. A Board member serving as an advisor will not participate in a formal hearing before the Board in a case in which he served as an advisor should the matter not be settled by a **Consent Order** or an **Agreed Order**. A Board member serving as an advisor shall not discuss the details of the complaint with any other Board member except when advocating the acceptance of the **Consent Order** or an **Agreed Order** by the Board during a scheduled meeting of the Board.

This policy adopted by the Alarm Systems Contractors Board on September 29, 2000.

POLICY #40 - OPEN APPLICATIONS

If any individual or company application for any classification has been on file with the Tennessee Alarm Systems Contractors Board for more than six (6) months without diligent effort on the applicant's part to continue the application process, the application file will be closed and considered INACTIVE, and it will become necessary for the applicant to reapply for certification, licensure or registration.

Once an application has been approved by the Tennessee Alarm Systems Contractors Board, and notice of the approval requesting the certification, license or registration fee(s) is submitted to the applicant, the applicant has sixty (60) days from the date indicated on the approval to complete the process by paying the required fee(s). If the applicant fails to complete the process within the specified sixty (60) days, the application file will be closed and it will become necessary to reapply.

This policy adopted by the Alarm Systems Contractors Board on November 01, 2001.

POLICY #41 - DENIAL OF APPLICATION FOR MATERIAL MISSTATEMENT

The Executive Director of the Tennessee Alarm Systems Contractors Board is granted the authority to DENY any application submitted for certification, licensure or registration that contains a material misstatement or false evidence with respect to such application. An applicant that is denied for a material misstatement contained on the application is to immediately **Cease and Desist** alarm related employment and activities upon receipt of correspondence from the Alarm Systems Contractors Board.

However, an applicant denied for material misstatement is immediately eligible to reapply for certification, licensure or registration by submitting a new application and fingerprint cards with all required application and processing fees to the Board. The new application must include all relevant requirements as defined in T.C.A. § 62-32-301 et seq., and must remedy all discrepancies found on the original application. An applicant is also required to provide all supporting documents, explanations, and court dispositions with their new application. The **Cease and Desist** shall remain in effect from the date of denial until such time the new application has been submitted and received by the Board.

Statutory Authority 62-32-307(g), 62-32,307(i), 62-32-312(c)&(d), 62-32-312(e)(2), 62-32-319(d), and Rules 0090-1-.04, 0090-1-.05.

This policy adopted by the Alarm Systems Contractors Board on May 2, 2002. Revised June 14, 2007

POLICY #42 - APPEAL OF DENIED APPLICATIONS

An application for an Alarm Qualifying Agent License or Alarm Employee Registration that is denied by the Alarm Systems Contractors Board based on “prima facie evidence of poor moral character” is to immediately **Cease and Desist** alarm related employment and activities upon receipt of correspondence from the Alarm Systems Contractors Board. The **Cease and Desist** shall remain in effect from the date of denial.

An applicant denied based on “prima facie evidence of poor moral character” may appeal the denial of the application.

Appeals must be submitted to the Board, in writing, within thirty (30) days from the date of denial. All applicants who choose to appeal the denial of their application must appear before the Alarm Systems Contractors Board with the Designated Qualifying Agent for the alarm company they are employed by. If the applicant is the Designated Qualifying Agent applicant, the owner or president of the alarm company they are employed by must appear before the Board with the applicant. An applicant is not eligible for alarm related employment or activities until such time as the appeal has been made and issuance has been approved by the Board.

Six (6) months from the date of denial, an applicant is eligible to reapply for licensure or registration by submitting a new application and fingerprint cards with all required application and processing fees to the Board. The new application must include all relevant requirements as defined in T.C.A. § 62-32-301 et seq. An applicant is also required to provide all supporting documents, explanations, and court dispositions with their new application. The **Cease and Desist** shall remain in effect from the date of denial until such time the new application has been approved by the Board.

Statutory Authority 62-32-307(g), 62-32,307(i), 62-32-312(c)&(d), 62-32-312(e)(2), 62-32-319(d), Rule 0090-1-.04, 0090-1-.05.

This policy adopted by the Alarm Systems Contractors Board on May 2, 2002. Revised June 14, 2007.

POLICY #43 - PERSONAL EMERGENCY RESPONSE SYSTEMS (PERS)

Companies and their employees that *exclusively* sell, install, repair, and monitor Personal Emergency Response Systems (“PERS”) are not required to be licensed as alarm systems contractors, qualifying agents or registered employees because a PERS is not an alarm system as defined in Tenn. Code Ann. §62-32-303(1). For the purposes of this policy, a PERS is defined as a device that contains a call button that may be pushed by the owner of the device to call a monitoring station in case of emergency. The PERS is installed in the user's phone jack and does not have the ability to detect or summons aid for emergencies without the owner pushing the call button. However, these companies and their employees would be required to be licensed if they attempt to convert or did convert the PERS system into an alarm system as defined by our law and rules.

This policy adopted by the Alarm Systems Contractors Board on February 12, 2004.

POLICY # 44 - EQUIVALENT EMPLOYEE TRAINING

All courses assigned a course number, currently contained on the Board's initial application approved course list, will be the acceptable equivalent for NTS Level One Certified Alarm Technician, to be used to meet employee training requirements. This policy adopted by the Alarm Systems Contractors Board on April 14, 2005.

POLICY #45 - DEADLINE TO COMPLY WITH RULE 0090-1-.06(9)(d)

A grace period of one year from the effective date of Administrative Rule 0090-1-.06(9)(d) will be granted to Qualifying Agents to allow sufficient opportunity to comply with the residency requirement without threat of disciplinary action for violation thereof. Said grace period shall end on December 20, 2005.

This policy adopted by the Alarm Systems Contractors Board on June 09, 2005.

POLICY #46 - DEFINITION OF FULL TIME EMPLOYEE - RULE 0090-1-.06(9)(b)

For purposes of implementing Rule 0090-1-.06-(9)(b), "*Full-Time*" shall be defined as requiring the Qualifying Agent to be employed by the Alarm Systems Contractor for a minimum of thirty (30) hours per week.

This policy adopted by the Alarm Systems Contractors Board on June 09, 2005.